

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/16/10 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 24, 26, 32, 45, 46, 48, and 49 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that neither Roskind et al., nor Grunwald et al., teach or suggest disabling advanced configuration options; causing a configuration option to go from a settable state to an unsettable state (Amendment, pages 8 - 10).

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 32, recite the limitation "wherein the anxiety level is detected" in lines 1, and 2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 24, 26, 32, 45, 46, 48, and 49 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. **Claims** 24, 26, 32, 46, 46, 48, and 49 are directed to a computer readable medium storing processor executable instructions that is not limited to a non-transitory, and thus, statutory medium. The scope of "computer-readable medium" as defined in the specification can encompass signal-based mediums since discloses "computer storage media includes, but is not limited to RAM, ROM, EEPROM", ", etc (*see Specification, Page 8, lines 1 - 3*). A signal does not fall within one of the four statutory categories of invention (*i.e., process, machine, manufacture, or composition of matter*) because it is an ephemeral, transient signal and thus is non-statutory. Since the scope of "computer-readable medium" can encompass these non-statutory instances, claims 24, 26, 32, 46, 46, 48, and 49 are directed to non-statutory subject matter.

***Claim Rejections - 35 USC § 103***

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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7. Claims 24, 26, 46, 48, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind et al., (US PAP 2004/0127198) in view Turnbull et al., (US PAP 2002/0103789).

As per claims 24, Roskind et al., teach one or more computer- readable media having executable instructions stored thereon that, when executed by a computing device, implement a method comprising:

storing a preferences and settings database that stores user preferences and settings (paragraph 20);

executing an adaptive computing environment (ACE) engine on the computing device, the ACE engine continually monitoring data from sensors of the computing device to detect changes in environment of the computing device (**“monitors one or more environmental conditions, such as motion, light sound...based on a preference of a user”**), the environment including a user of the computing device, the ACE engine, in accordance with the monitoring, altering the preferences and settings and controlling features of the arbitrary applications that the user interacts with, the ACE engine executing separately from the arbitrary applications and the computing device according to the preferences and settings database, wherein the ACE engine comprises an application separate from the application (**“the types of automatic notification mode changes used may be based on a preference of a user. User preferences for the types of the notification mode changes to be made may be user-selectable or user-configurable, through the use of an Internet protocol (IP) interface or otherwise”**; Abstract, paragraphs 19 – 21, and 32 – 34);

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providing a user interface, the user interface for displaying windows for different applications (“an interface that provides a calendar for the ease of identifying times... a business meeting may be identified using a calendar interface”; paragraph 68);

However, Roskind et al., do not specifically teach detecting user characteristic or behavior; simplifying the plurality of features provided to the user in response to the detected user characteristic or behavior, the simplifying comprising removing from one of the arbitrary applications configuration options that are settable by the user to configure behavior of the application, the advanced configuration options comprising user interface components that can be manipulated by the user affected behavior of the application, the removing comprising causing advanced configuration options to not be settable by the user thereby preventing the user from setting the configuration options by the user.

Turnbull et al., teach that Such links to information can further be automatically and dynamically established by the system and presented in the interface, as textual or graphical content, representing individual commerce items, advertisements, incentives **or navigation aide interface controls. Such automatically and dynamically created links are determined by the system based upon an** established user profile, **user activity and behavioral characteristics**. The particular form of content display and interface controls implemented within the interface are necessarily dependent upon the content of the main viewing area (main browser window) of the user device's information presentation interface (the browser program, for example). As is well understood by those having skill in the art, a network server

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system has the ability to determine the operational characteristics of a device with which it is in communication, particularly that device's characteristic viewing parameters, by handshake protocols which are well established and well understood in the art. Thus, the system is able to modify the interface such that is compatible with a user's viewing device and is able to provide for further customization of the interface by each individual user, in accordance with a range of interface configurations supported by the user's device display characteristics (paragraphs 50, and 51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify navigation aide interface controls as taught by Turnbull et al., in Roskind et al., because that would help enhance electronic commerce activities through interaction with a personalized relevance interface (paragraph 2).

As pr claim 26, Roskind et al., in view Turnbull et al., further disclose determining whether the user wants the plurality of features to be simplified (Turnbull et al., paragraphs 50, and 51).

As pr claim 46, Roskind et al., in view Turnbull et al., further disclose simplifying further comprising displaying a hint, wizard, or help assistant (Turnbull et al., "navigation aide interface controls"; paragraphs 50, and 51).

As per claim 48, Roskind et al., teach one or more computer-readable storing information to enable a computer to perform a process, the process comprising:

storing a database of user preferences/settings (paragraph 20);

monitoring an environmental state of the computer, the environmental state comprising information indicating levels of ambient light and sound received by the computer from its local environment, the environment state further comprising information about peripheral devices attached to the computer, the environmental state further comprising inferences about a user or output needs derived from detecting patterns of use of an input device of the computer when using a plurality of arbitrary applications (“monitors one or more environmental conditions, such as motion, light sound...based on a preference of a user”; Abstract);

responsive to detected changes of the monitored environmental state, displaying user interface components configured to indicate respective preferences/settings corresponding to respective detected changes of the monitored environment state, and storing the indicated preferences/settings in the database of user preferences/settings (**“the types of automatic notification mode changes used may be based on a preference of a user. User preferences for the types of the notification mode changes to be made may be user-selectable or user-configurable, through the use of an Internet protocol (IP) interface or otherwise”**; paragraphs 19 – 21, and 32 – 34);

providing the stored user preferences/settings to arbitrary applications outputting audio and/or graphical data, the applications adapting how they render the audio and/or video data in accordance with the stored user preferences/settings (“In some implementations, the notification configuration information also may include user

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preferences for activating or deactivating particular notification modes for particular types of environmental conditions"; paragraph 34);

providing the stored user preferences/settings to arbitrary applications receiving input from the user, the applications adapting how they receive or interpret user input according to the stored user preferences/settings ("The I/O port 218 enables communication with a remote computing device through the use of a cable or a cradle connection. In some implementations, an alternative or additional I/O port may enable wireless communications with another computing device"; paragraph 32).

Roskind et al., do not specifically teach according to the monitored environmental state and the inferences about a user's input, detecting a user characteristic and in response automatically disabling advanced configuration options of one or more of the arbitrary applications such that functionally of the one or more application is disabled.

Turnbull et al., teach that Such links to information can further be automatically and dynamically established by the system and presented in the interface, as textual or graphical content, representing individual commerce items, advertisements, incentives **or navigation aide interface controls. Such automatically and dynamically created links are determined by the system based upon an** established user profile, **user activity and behavioral characteristics**. The particular form of content display and interface controls implemented within the interface are necessarily dependent upon the content of the main viewing area (main browser window) of the user device's information presentation interface (the browser program, for example). As is well understood by those having skill in the art, a network server

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system has the ability to determine the operational characteristics of a device with which it is in communication, particularly that device's characteristic viewing parameters, by handshake protocols which are well established and well understood in the art. Thus, the system is able to modify the interface such that is compatible with a user's viewing device and is able to provide for further customization of the interface by each individual user, in accordance with a range of interface configurations supported by the user's device display characteristics (paragraphs 50, and 51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify navigation aide interface controls as taught by Turnbull et al., in Roskind et al., because that would help enhance electronic commerce activities through interaction with a personalized relevance interface (paragraph 2).

As per claims 49, Roskind et al., teach one or more computer- readable media having executable instructions stored thereon that, when executed by a computing device, implement a method comprising:

storing a preferences and settings database that stores user preferences and settings (paragraph 20);

executing an adaptive computing environment (ACE) engine on the computing device, the ACE engine continually monitoring data from sensors of the computing device to detect changes in environment of the computing device ("**monitors one or more environmental conditions, such as motion, light sound...based on a preference of a user**"), the environment including a user of the computing device, the



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ACE engine, in accordance with the monitoring, altering the preferences and settings and controlling features of the arbitrary applications that the user interacts with, the ACE engine executing separately from the arbitrary applications and the computing device according to the preferences and settings database, wherein the ACE engine comprises an application separate from the application (**“the types of automatic notification mode changes used may be based on a preference of a user. User preferences for the types of the notification mode changes to be made may be user-selectable or user-configurable, through the use of an Internet protocol (IP) interface or otherwise”**; Abstract, paragraphs 19 – 21, and 32 – 34);

providing a user interface, the user interface for displaying windows for different applications (“an interface that provides a calendar for the ease of identifying times... a business meeting may be identified using a calendar interface”; paragraph 68);

However, Roskind et al., do not specifically teach identifying, by the monitoring of the ACE engine of the use of the input devices, a behavior characteristic of the user, where the use of the user input devices comprises use that directs input to a plurality of different applications running on the computing device; simplifying the plurality of features provided to the user in response to the behavior characteristic of the user, the simplifying comprising removing from one of the arbitrary applications configuration options that are settable by the user to configure behavior of the application, the advanced configuration options comprising user interface components that can be manipulated by the user affected behavior of the application, the removing comprising

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causing advanced configuration options to not be settable by the user thereby preventing the user from setting the configuration options by the user.

Turnbull et al., teach that Such links to information can further be automatically and dynamically established by the system and presented in the interface, as textual or graphical content, representing individual commerce items, advertisements, incentives **or navigation aide interface controls. Such automatically and dynamically created links are determined by the system based upon an** established user profile, **user activity and behavioral characteristics**. The particular form of content display and interface controls implemented within the interface are necessarily dependent upon the content of the main viewing area (main browser window) of the user device's information presentation interface (the browser program, for example). As is well understood by those having skill in the art, a network server system has the ability to determine the operational characteristics of a device with which it is in communication, particularly that device's characteristic viewing parameters, by handshake protocols which are well established and well understood in the art. Thus, the system is able to modify the interface such that is compatible with a user's viewing device and is able to provide for further customization of the interface by each individual user, in accordance with a range of interface configurations supported by the user's device display characteristics (paragraphs 50, and 51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify navigation aide interface controls as taught by

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Turnbull et al., in Roskind et al., because that would help enhance electronic commerce activities through interaction with a personalized relevance interface (paragraph 2).

8. Claims 32, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind et al., (US PAP 2004/0127198) in view Turnbull et al., (US PAP 2002/0103789); and further in view of Ron (US Patent 5,647,834).

As pr claims 32, and 45, Roskind et al., in view of Turnbull et al., further do not specifically teach that a anxiety level is detected via a galvanic skin response strip

Ron teaches that the system provides an option to record other physiological variables sensitive to emotions such as heart rate galvanic skin resistance and temperature (col.7, lines 18 – 22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to galvanic skin response as taught by Ron in Roskind et al., in Turnbull et al., so that the LCD graphic display can be adapted to change colors depending on speech characteristics or on emotional change as detected by one of the sensors (col.6, lines 56 – 60).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEONARD SAINT CYR whose telephone number is (571) 272-4247. The examiner can normally be reached on Mon- Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571)-272-1000.

LS  
07/05/10  
/Leonard Saint-Cyr/  
Examiner, Art Unit 2626